

10/055,399

ERICP329USA

REMARKS

Following entry of the above amendment, claims 1-21, 35, and 37-62 will be pending. Of these, claims 10-12, 18, and 20 stand withdrawn from consideration as drawn to non-elected species. Claims 22-34 and 36 have been canceled. Minor amendments have been made to claims 35 and 37 without change in scope, to address objections to the claims. Claim 35 has also been amended to clarify its distinction over the prior art.

Claims 41-62 have been added. Newly-added claims 41-44, 46-53, and 55-62 read on the elected species.

The specification has been amended to insert the application number of a provisional application.

Allowable Subject Matter

The indication that claims 4, 6-9, 15, 17, 19, and 40 constitute allowable subject matter is noted with appreciation.

Objection to Claims

Claims 35-40 stand object to because of informalities. As noted above, claims 35 and 37 have been amended to overcome the objections, without change in scope of the claims.

Prior Art Rejections

Claims 1-3, 5, 13, 14, 16, and 21 stand rejected under 35 USC 102(b) as anticipated by Williams, U.S. Patent No. 5,513,425 ("Williams"). Claims 35-39 stand rejected under 35 USC 103(a) as obvious over Williams. Withdrawal of the rejections is respectfully requested for at least the following reasons.

Williams discloses a tool 71 for pressing copper pipes and fittings together to form press-fit joints. The tool 71 includes a pair of jaws 72 and 73 for engaging a pipe and fitting. The jaws 72 and 73 are mounted on arms 74 and 76, which are slidably

10/055,399

ERICP329USA

mounted in divergent grooves 77 and 78 in spaced blocks 79. A double acting hydraulic cylinder 81 is used to move the arms 74 and 76, thereby bringing together or separating the jaws 72 and 73. Col. 4, line 59 - col. 5, line 19; Figs. 10 and 11. The jaws 72 and 73 are described as being "similar to jaws 42, 43," which have portions that pivot between a closed position and an open position, col. 4, lines 8-11; Fig. 7. The tool 71 apparently only frictionally engages the copper pipes and fittings. Williams does not disclose the tool 71 as involving engagement of any sort of seat.

Claim 1 recites a tool for forming a reinforcing bar connection, that includes opposed drivers adapted each to engage a seat supporting a tapered sleeve positioned over bar ends, and means to drive the seats axially of the bar ends to force the sleeves over a jaw assembly positioned on the bar ends to cause the jaw assembly to contract and grip the bar ends. Williams does not teach or suggest drivers each adapted to engage a seat used to cause a jaw assembly to contract and grip reinforcing bar ends. Williams's tool 71 is used to press hollow copper tubes and fittings to engage one another. It will be appreciated that hollow copper tubing is much easier to deform than reinforcing bar connections. Nothing in Williams teaches or suggests that the tool 71 would be suitable for use as a tool for forming a reinforcing bar connection, or that the tool 71 would be capable of the forces needed to cause contraction of a jaw assembly onto reinforcing bar ends. Since Williams does not teach or suggest the tool recited in claim 1, claims 1-3 and 5 are patentable over Williams.

Claim 13 recites a tool for forming a reinforcing bar splice, that includes a pair of pivoting arms, the distal ends of which form oppositely facing drivers adapted to engage seats receiving oppositely facing tapered sleeves positioned over aligned bar ends, and power means to drive the seats axially of the bar ends to force the sleeves over a jaw assembly positioned on the bar ends to cause the jaw assembly to contract to grip and splice the bar ends. As discussed above with regard to claim 1, Williams does not teach or suggest a tool for forming a reinforcing bar connection, and various aspects of the recited tool. Therefore claims 13, 14, 16, and 21 are patentable over Williams.

10/055,399

ERICP329USA

Claim 35 as amended recites a rebar power tool, that includes power operated pivoting arms, with a distal end of each arm being provided with a notch to accommodate a bar passing therethrough, each distal end also including a bearing section on each side of the notch, with a rounded surface operative to engage and drive rebar tooling when said arms are closed. Williams does not disclose the recited rounded surface operative to engage and drive rebar tooling. The jaws 72 and 73 of Williams's tool 71 apparently have flat upper and lower surfaces. Thus Williams does not teach the recited rounded surface. Further, Williams does not suggest such a rounded surface, since the purpose of the rounded surface is to allow the tool to accommodate swing of the arms as they pivot, and Williams's tool does not face a similar problem, because the Williams tool translates relative to the copper tubes and fittings during operation (compare Figs. 10 and 11). Because of this relative translation between tool and tubes, there is no reason to modify the Williams jaws 72 and 73 to accommodate rounded surfaces. Since Williams does not teach or suggest all of the features of claim 35 as amended, claims 35 and 37-39 are patentable over Williams.

#### Newly-Added Claims

Newly-added claim 41 depends upon claim 35, and is patentable over Williams for at least the reasons given above for the patentability of claim 35. In addition, the additional features recited in claim 41 may also make it patentable over Williams for an additional reason.

Newly-added claim 61 depends upon claim 1, and is patentable over Williams for at least the reasons given above for the patentability of claim 1. In addition, the additional features recited in claim 61 may also make it patentable over Williams for an additional reason.

Newly-added claim 62 depends upon claim 13, and is patentable over Williams for at least the reasons given above for the patentability of claim 13. In addition, the additional features recited in claim 62 may also make it patentable over Williams for an additional reason.

10/055,399

ERICP329USA

Newly-added independent claim 42 recites a tool for forming a reinforcing bar connection, that includes a pair of arms adapted each to engage a respective seat supporting a tapered sleeve positioned over bar ends; and a cam roller engaging a cam surface on one of the arms to thereby drive the seats axially of the bar ends to force the sleeves over a jaw assembly positioned on the bar ends to cause the jaw assembly to contract and grip the bar ends. Claims 42-48 are patentable over Williams at least because Williams does not teach or suggest all of the recited features of claim 42.

Newly-added independent claim 49 recites a tool for forming a reinforcing bar splice, that includes a pair of pivoting arms, the distal ends of which form oppositely facing drivers adapted to engage seats receiving oppositely facing tapered sleeves positioned over aligned bar ends; and a piston-cylinder assembly to drive the seats axially of the bar ends to force the sleeves over a jaw assembly positioned on the bar ends to cause the jaw assembly to contract to grip and splice the bar ends. Claims 49-54 are patentable over Williams at least because Williams does not teach or suggest all of the recited features of claim 49.

Newly-added independent claim 55 recites a tool for forming a reinforcing bar connection, that includes a pair of arms adapted each to engage a respective seat supporting a tapered sleeve positioned over bar ends; a tension link coupling the arms together; and a cam roller that engages a cam surface to drive the seats axially of the bar ends to force the sleeves over a jaw assembly positioned on the bar ends to cause the jaw assembly to contract and grip the bar ends. Claims 55-60 are patentable over Williams at least because Williams does not teach or suggest all of the recited features of claim 55.

#### Conclusion

In view of the foregoing, withdrawal of rejections is respectfully requested, in which case the application would be in condition for allowance.

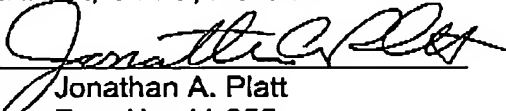
10/055,399

ERICP329USA

Should the Examiner believe that a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Authorization is given to charge \$194.00 to Deposit Account No. 18-0988 (Charge No. ERICP329USA) for the presentation of additional claims. In the event any additional fees are due in connection with the filing of this paper, the Commissioner is authorized to charge those fees to our Deposit Account No. 18-0988 (Charge No. ERICP329USA).

Respectfully submitted,  
RENNER, OTTO, BOISSELLE & SKLAR, LLP

By   
Jonathan A. Platt  
Reg. No. 41,255

1621 Euclid Avenue  
Nineteenth Floor  
Cleveland, Ohio 44115  
(216) 621-1113  
(216) 621-6165 (fax)  
A:\P0329USA.R02.wpd